SUBJECT No. 19.

Amendment to Civil Procedure Code.

Mr. C. Krishnamurti, Law Association, Bangalore.

Summary of discussion.—The Civil Procedure Code may be so amended as to prescribe the procedure to be adopted when suits are filed against the Government.

Reply of Government.—Will be considered.

SUBJECT No. 20.

Amendment of Order XVIII, Rule 5 of Civil Procedure Code.

Mr. B. Narasinga Rao, Seringapatam taluk.

Summary of discussion.—Section 182 of the Civil Procedure Code of 1882 contained a provision that the deposition of witnesses should be read in court in the presence of the judge, witnesses and parties or their pleaders. Order XVIII, Rule 5 of the new Code does not require the presence of parties or their pleaders when the depositions are being read. This has caused a great deal of inconvenience to parties. It is therefore prayed that the rule may be so amended as to bring it into conformity with the old provision.

Mr. Lakshmanagowda.—Some judges do not record portions of witness' statements which they consider unimportant. It is very necessary that the statements recorded should be read out to the witness in the presence of the judge. It is not sufficient for the court clerk to read out the deposition to the witness in a separate room as is being done now.

Reply of Government.—The practice referred to above is improper and will be brought to the notice of the Chief Court.

SUBJECT No. 21.

Amendment of the Criminal Procedure Code.

Mr. Ramaswamiengar, Hassan taluk.

Summary of discussion.—Under the Criminal Procedure Code, there is no provision to appeal against certain sentences passed by First Class Magistrates. As this leads to hardship, it is prayed that the code may be so amended as to allow appeal against any sentence passed by any Magistrate.

Reply of Government.—Cannot be done.

JUDICIAL.

(Nos. 22 to 57.)

SUBJECT No. 22.

A Judicial Conference.

Messrs. Padmanna and K. Venkatasamiya, Nanjangud taluk.

Withdrawn.

SUBJECT No. 23.

A controlling Judicial Council over Chief Court.

(*a*) Mr. K. S. Santanam Iyengar, Closepet municipality.
(*b*) Messrs. Padmanna and K. Venkatasamaiya, Nanjangud taluk.

Summary of discussion.—(*a*) A Judicial Council consisting of retired High Court Judges and eminent lawyers of ripe experience from various parts of India, may be established to serve as a controlling judicial authority over the decisions of the Chief Court of Mysore.

(*b*) Appeals against the orders of the Chief Court may be allowed before the Council of His Highness the Maharaja, in cases where the Chief Court grants certificates and gives permission as in the case of appeals to the Privy Council from the decisions of High Courts.